

Appln. No. 09/599,150

Docket No. 22-0133C

REMARKS

Prior to the aforementioned Office action, claims 1-5 and 7-22 were submitted for reconsideration and reexamination. In the Office action, claims 1 and 7-8 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over US Patent Appln.

2003/0207684 to Wesel in view of US Patent No. 6,593,893 to Hou et al. and US Patent No. 5,905,957 to Olds et al. Claims 1-5 and 7-21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Wesel in view of Hou and US Patent No. 6,738,346 to Prieto, Jr. et al. Claim 22 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Wesel in view of Hou and Prieto, and further in view of US Patent No. 5,617,108 to Silinsky et al.

By this amendment, claims 1, 7 and 8 have been cancelled in response to the first ground of rejection. The rejections of the remaining claims 2-5 and 9-22 are all based in part on the Prieto patent, which, as the Examiner correctly supposed, is commonly owned with the present application. The application of Prieto as a reference is based on 35 U.S.C. §103 in conjunction with 35 U.S.C. §102(e), since the Prieto patent was applied for on March 16, 1999, prior to the filing date of the present application, and issued on May 18, 2004, after the filing date of the present application. Also, because the present application was filed after November 29, 1999, the provisions of 35 U.S.C. §103(c) apply. Applicant submits with this response a Statement Concerning Common Ownership and requests that the rejections based in part on the Prieto reference be withdrawn.

Claims 2 and 3 have each been amended to incorporate all the features of claim 1, from which these claims originally depended. Claim 4 continues to depend from

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claim 3, and claim 5 continues to depend from claim 4. The remaining claims 9-22 have not been amended in this response. Therefore, claims 2-5 and 9-22 remain in the application and all believed to be allowable over the cited art.

In view of the foregoing, withdrawal of the rejections and formal notification of allowance of the application are respectfully requested.

Respectfully submitted,

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